THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.24982 of 2007

Between:

Pemmasani Sridhar.

.. PETITIONER

and

The Tahsildar and another.

.. RESPONDENTS

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WRIT PETITION No.24982 of 2007

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ORDER:

Petitioner questions the resumption order passed by the 1st respondent in proceedings No.Rc.A/332/2006, dated 29-06-2007, in resuming the land admeasuring Ac.2-10 cents in R.S.No.49/1 of Lova Village on the ground that the said land was originally assigned in favour of one Smt.Jalla Rama Chandra Rao, but the said assignee alienated the said land in favour of the petitioner.

Learned counsel appearing for the petitioner submits that even the petitioner is a purchaser and he is in possession of the said land, no notice has been served on the petitioner before passing the impugned order.

I am of the opinion that whether any notice has been served on the petitioner or not is a matter to be considered by the Appellate Authority. However, an appeal lies against the impugned order under Section 4-A (1) of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short "the Act") before the Revenue Divisional Officer.

Accordingly, the writ petition is dismissed with a liberty to file an appeal against the impugned order. However, it is needless to state that under Section 4–A (1) of the Act, the petitioner has got 90 days time to file an appeal before the Revenue Divisional Officer from the date of receipt of the impugned order. There shall be no order as to costs.

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26-11-2007

Note:

Issue C.C. in three days

(B/o)

Prv